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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,507	02/13/2002	Marco Peters	Q68452	7621
7590	11/18/2005		EXAMINER VAUGHN JR, WILLIAM C	
Sughrue Mion Zinn Macpeak & Seas 2100 Pennsylvania Avenue NW Washington, DC 20037-3213			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,507

Applicant(s)

PETERS ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-22, 24, 25, 27, 28, 30 and 31 is/are rejected.
- 7) ☒ Claim(s) 19, 23, 26, 29 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 24 August 2005.

Response to Arguments

2. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejections and objections.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-18, 20-22, 24, 25, 27, 28, 30 and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (Gupta), WO 99/60459 in view of Ebrahim, EP 0817444 A2 and in further view of McCann et al. (McCann), U.S. Patent No. 6,052,725.
5. Regarding **claim 1**, Gupta discloses the invention substantially as claimed. Gupta discloses a *telecommunication system for receiving at least one control signal from a user via a terminal* (Gupta teaches a client utilizing a browser provides to a DNS resolver a web server name [see Gupta, abstract, see page 6, lines 15-17, page 13, lines 3-17] *and comprising said terminal and a network for in response to said at least one control signal addressing a memory comprising information to be supplied to said terminal and stored at least one memory location defined by at least one address signal* (Gupta teaches that the DNS server responds, when appropriate, with data, a table of data, or a thin client

Art Unit: 2143

applet to the client browser), [see Gupta, page 13, lines 13-27 and page 14, lines 1-19]; *said telecommunication system comprises a generator (DNS server) for generating at least one address signal in response to said at least one control signal in a user-dependent way* (Gupta teaches that primary DNS server handles requests from other resolvers such as request 207 as well as request from a client browser resolver), [see Gupta, Page 14, page 4-25 and page 15, lines 1-15]. However, Gupta does not explicitly disclose said memory providing different information to said user from different memory locations depending on the address signal generated.

6. In the same field of endeavor, Ebrahim discloses (e.g., a system for context-dependent name resolution). Ebrahim discloses said memory providing different information to said user from different memory locations depending on the address signal generated [see Ebrahim, Col. 6, lines 25-58, Col. 7, lines 1-40].

7. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Ebrahim's teachings of a system for context-dependent name resolution with the teachings of Gupta, for the purpose of decreasing congestion [see Ebrahim, Col. 1, lines 50-59].

8. In the same field of endeavor, McCann discloses dynamic IP addressing that enables dynamic IP addresses to be re-used by different communications device that connect to networks at different times [see McCann, Col. 3, lines 5-25].

9. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated McCann's teachings with the teachings of Gupta-Ebrahim. By this rationale **claim 1** is rejected.

Art Unit: 2143

10. Regarding **claim 2**, Gupta-Ebrahim discloses *said user-dependent way comprises at least one location dependency and/or at least one time-dependency* (Gupta teaches utilizing distance metric tables that are created by agents collecting network topology and load information), [see Gupta, page 16, lines 5-17 and Col. 17, lines 1-12]. By this rationale **claim 2** is rejected.

11. Regarding **claim 3**, Gupta-Ebrahim discloses *at least one part of said generator is located in said network* (Gupta teaches a local area network and the internet), [see Gupta, items 125 and 122]. By this rationale **claim 3** is rejected.

12. Regarding **claim 4**, Gupta-Ebrahim discloses *said at least one part of said generator performs said generating in dependence of a location signal to be generated via said network* [see Ebrahim, Col. 4, lines 10-59, Col. 5, line 1-59 and Col. 6, lines 1-57]. By this rationale **claim 4** is rejected.

13. Regarding **claim 5**, Gupta-Ebrahim discloses *at least one part of said generator is located in said terminal* [see rejection of claim 1, supra]. By this rationale **claim 5** is rejected.

14. Regarding **claim 6**, Gupta-Ebrahim discloses *in that said at least one part of said generator performs said generating in dependence of a further location signal to be generated via said terminal* [see Ebrahim, Col. 3, lines 1-14]. By this rationale **claim 6** is rejected.

15. Regarding **claim 7**, Gupta-Ebrahim discloses *a network* [see Gupta, items 122 and 125] *for use in a telecommunication system for receiving at least one control signal from a user via a terminal and comprising said terminal and said network for in response to said at least one control signal addressing a memory comprising information to be*

Art Unit: 2143

*supplied to said terminal and stored at least one memory location defined by at least one address signal, said network comprises a generator for generating at least one address signal in response to said at least one control signal in a user-dependent way [see rejection of claim 1, supra]. By this rationale **claim 7** is rejected.*

16. Regarding **claim 8**, Gupta-Ebrahim discloses *a terminal (Gupta teaches a client browser) for use in a telecommunication system for receiving at least one control signal from a user via said terminal and comprising said terminal and a network for in response to said at least one control signal addressing a memory comprising information to be supplied to said terminal and stored at least one memory location defined by at least one address signal, said terminal comprises a generator for generating at least one address signal in response to said at least one control signal in a user-dependent way [see rejection of claim 1, supra]. By this rationale **claim 8** is rejected.*

17. Regarding **claim 9**, Gupta-Ebrahim discloses *a generator (DNS server) for use in a telecommunication system for receiving at least one control signal from a user via a terminal and comprising said terminal and a network for in response to said at least one control signal addressing a memory comprising information to be supplied to said terminal and stored at least one memory location defined by at least one address signal, in that said telecommunication system comprises said generator for generating at least one address signal in response to said at least one control signal in a user-dependent way [see rejection of claim 1, supra]. By this rationale **claim 9** is rejected.*

18. **Claim 10** list all the same elements of claims 1, 7-9, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claims 1, 7-9 applies equally as well to claim 10.

Art Unit: 2143

19. Regarding claim dependent claims 11-18, 20-22, 24, 25, 27, 30, and 31, the limitations of these claims are extremely well known in the art, thus the examiner takes (Official Notice (MPEP 2144.03)).

Allowable Subject Matter

20. Claims 19, 23, 26, 29 and 32 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

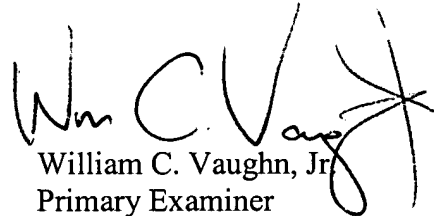
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Wm C. Vaughn, Jr.", with a large, stylized flourish extending from the end of the signature.

William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143
11 November 2005

WCV